

LOCAL LAW NO. 2 OF 2024

A LOCAL LAW amending §190-3 of the Village Vehicle and Traffic Law to affirm the maximum speed limits on all Village streets to be 25 MPH.

BE IT ENACTED by the Board of Trustees of the Village of Dering Harbor as follows:

SECTION 1. Legislative Intent. Section 190-3 currently indicates that the maximum speed limit on all Village streets is 25 miles per hour (“MPH”). Upon review of the legislative history of the Village’s Vehicle and Traffic Law, it was determined that the Village adopted 25 MPH speed limits on certain Village streets as early as 1970 and by Local Law Number 1 of 2013 amended the law to establish 25 MPH speed limits on all Village streets. Upon consultation with the Shelter Island Town Police Department it was noted that the signage throughout the streets in the Village indicates a maximum speed limit of 30 MPH and State records do not indicate approval of the 25 MPH speed limits in the Village. It is noted that in 2013, §1643 of the NYS Vehicle and Traffic Law authorized a maximum speed limit of 30 MPH Village-wide unless approved by the NYSDOT. The Village has now realized that Local Law No. 1 of 2013 was apparently not filed with the Secretary of State putting in question the propriety of the current speed limits in §190-3. Section 1643 of the NYS Vehicle and Traffic Law was amended in 2021 (effective August, 2022) to authorize Villages to adopt a maximum speed limit Village-wide of 25 MPH provided the Village-wide speed limits are established in accordance with engineering considerations certified by a licensed professional engineer who specializes in traffic operations. The Village engaged Walter M. Dunn, Jr., P.E. of Dunn Engineering Associates. P.C., who by report, dated December 19, 2023, recommended that based upon traffic and safety engineering considerations the Village should re-adopt the 25 MPH on all Village streets. The intent of this local law is to amend §190-3 of the Village Vehicle and Traffic Law to affirm the maximum speed limits on all Village streets to be 25 MPH.

SECTION 2. Amendment. Section §190-3 of the Village Vehicle and Traffic Law is amended by deleting strikethrough words and adding underlined words as follows:

§ 190-3 Maximum speed established. The maximum speed limit at which vehicles may proceed on or along all streets or highways within the Village is hereby established at twenty-five (25) miles per hour.

The following roads in the Village of Dering Harbor shall have a speed limit of 25 miles per hour.

Name of Street	Speed Limit (mph)	Location
Dering Lane	25	Entire length

Name of Street	Speed Limit (mph)	Location
Dering Woods Lane	25	Entire length
Dering Woods Road	25	Entire length
Dinah Rock Road	25	From the intersection of Dinah Rock Road and Manhasset Road to the intersection of Dinah Rock Road and the eastern boundary of the Village of Dering Harbor
Gardiner Way	25	Entire length
Habor Lane	25	From the intersection of Habor Lane and Manhasset Road to the intersection of Habor Lane and Locust Point Road
Havens	25	Entire

Name of Street	Speed Limit (mph)	Location
Road		length
Locust Point Road	25	From the intersection of Locust Point Road with the southern boundary of the Village of Dering Harbor to the intersection of Locust Point Road and Manhasset Road
Manhasset Road	25	From the intersection of Manhasset Road with the southern boundary of the Village of Dering Harbor to the intersection of Manhasset Road with Harbor Lane
Nicoll Place	25	Entire length
Nicoll Road	25	Entire

Name of Street	Speed Limit (mph)	Location
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length

South Street 25 Entire length

Sylvester Road 25 Entire length

Yoco Road 25 Entire length

SECTION 3. Authority. The proposed local law is enacted pursuant to §1643 of the NYS Vehicle and Traffic Law and the Municipal Home Rule Law §10(1)(ii)(a)(5) and §10(2).

SECTION 4. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.